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15 SkinMedica, Inc. and Allergan, Inc.

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UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA
SOUTHERN DIVISION

13 Josette Ruhnke, an individual, *et al.*; on
14 behalf of herself and all others similarly
15 situated,

16 Plaintiff,

17 vs.

18 SkinMedica, Inc., a Delaware
19 Corporation, and Allergan, Inc., a
20 Delaware Corporation,

21 Defendants.

Case No. 8:14-cv-00420 DOC (JPRx)

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**DEFENDANTS' NOTICE OF
MOTION AND MOTION TO
DISMISS PLAINTIFF'S FIRST
AMENDED CLASS ACTION
COMPLAINT UNDER FEDERAL
RULE OF CIVIL PROCEDURE
12(b)(6)**

*[MEMORANDUM OF POINTS AND
AUTHORITIES AND PROPOSED
ORDER FILED CONCURRENTLY
HEREWITH; REQUEST FOR
JUDICIAL NOTICE AND EXHIBITS
FILED SEPARATELY]*

Date: August 4, 2014
Time: 8:30 a.m.
Ctrm: 9D
Judge: Hon. David O. Carter

TO ALL PARTIES AND THEIR ATTORNEYS OF RECORD:

2 **PLEASE TAKE NOTICE THAT** on August 4, 2014, at 8:30 a.m. or as
3 soon thereafter as may be heard, before the Honorable David O. Carter in
4 Courtroom 9D of the United States District Court for the Central District of
5 California, located at 411 West Fourth Street, Santa Ana, California 92701,
6 Defendants SkinMedica, Inc. and Allergan, Inc. will and hereby do move the Court
7 for an order to dismiss the First Amended Class Action Complaint in the above-
8 titled action for failing to state a claim upon which relief can be granted.

9 This Motion is based on this Notice of Motion and Motion, the accompanying
10 Memorandum of Points and Authorities, Defendants' Request for Judicial Notice in
11 Support of this Motion, the Declaration of Steven N. Feldman in support thereof, the
12 exhibits to the Request for Judicial Notice, the pleadings and papers on file herein,
13 such arguments and evidence as may be presented in supplemental memoranda or as
14 may be presented at the hearing, and any other matters of which the Court may take
15 notice.

16 This motion is made following the conference of counsel pursuant to Local
17 Rule 7-3, which took place on June 16, 2014.

19 || Dated: June 23, 2014

IRELL & MANELLA LLP

By: */s/ John C. Hueston*

John C. Hueston

Attorneys for Defendants SkinMedica,
Inc. and Allergan, Inc.